



**TOWN OF ACTON**  
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**Planning Department**

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**MEMORANDUM**

**To:** Planning Board **Date:** January 28, 2016  
**From:** Robert Hummel, Assistant Town Planner *RH*  
**Subject:** Sign Special Permit #16-01 —77 Great Road

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**Applicant:** Stephen H. Grossman  
**Property Owner:** Steve Steinberg  
**Location:** 77 Great Road  
**Map/Parcel:** G5-20  
**Zoning:** EAV  
**Proposed Use:** Sign Special Permit under 7.13 in the Zoning Bylaw  
**Hearing Date:** February 2, 2016  
**Decision Due Date:** May 3, 2016

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**Background**

This application that is being heard by the Planning Board for a Sign Special Permit under section 7.13 mirrors the same design and similar measurements as the Sign Special Permits that were approved for both William Law, D.M.D and Reicheld Ting Orthodontics on March 17, 2015. The same graphic designer worked on this current application and he made sure to meet the requirements as what was approved for the neighboring businesses. Stephen H. Grossman's office is located on the second floor of 77 Great Road and his office is located horizontally to the other neighboring businesses. My memo follows the format and the major content of the prior Sign Special Permit memo for this building.

The application that was submitted is for approval for a total of two Awning Signs. One of the proposed Awning Signs would be located on the front of the building facing the parking lot and Great Road, while the other sign would be located on the rear of the building. The subject property and building are located within the East Acton Village (EAV) Zoning District.

**1st Request:** Signs in Locations/Positions not Otherwise Permitted

One of the two Awning Signs proposed is to be installed on the second floor over the second floor window.

The application is for an AWNING SIGN located on the second floor. Section 7.7.4.4 allows a WALL SIGN, but not an AWNING SIGN for "a business occupying a floor other than the first floor of a BUILDING." Hence a Special Permit is required under section 7.13.1.3: "A SIGN in a location or in a position not otherwise permitted.

The other Awning Sign is proposed to be located over a window on the back of the building.

The other Awning Sign would be classified as a Secondary Exterior Sign because the business has a direct entrance into the business on a wall other than the front wall.<sup>1</sup> The Awning Exterior Sign is located over the window to the left of the back entrance of the building. This proposed location of the Sign is not allowed for the Exterior Awning Sign under 7.7.7 in the Zoning Bylaw. Hence a Special Permit is required under section 7.13.1.3: “A SIGN in a location or in a position not otherwise permitted.

### **2nd Request:** Signs with Dimensions Larger than Otherwise Permitted

Both of the two Awning Signs proposed have dimensions in excess of the by right dimensional requirements. The Town of Acton Zoning Bylaw classifies Awning Signs as one type of Exterior Sign, and the following Zoning Bylaw sections set forth the dimensional regulations for such signs.

- Zoning Bylaw Section 7.7.6 states the following: “*The maximum DISPLAY AREA of an AWNING SIGN shall be 12 square feet for surfaces positioned parallel or convex to the BUILDING wall, and 6 square feet for surfaces positioned perpendicular to the BUILDING wall*”.

The Awning Sign proposed for the front of the building is identified as having a display area of 20 square feet which does not comply with Section 7.7.6 of the Bylaw. However, Section 7.13.1.2 b) of the Zoning Bylaw provides the Planning Board with the authority to grant a Sign Special Permit for a sign with up to twice the otherwise permitted maximum display area.

- Zoning Bylaw Section 7.7.7 states the following: “The DISPLAY AREA of any secondary EXTERIOR SIGN shall not exceed 6 square feet”.

The other Awning Sign proposed for the rear of the building is identified as having a display area of 11.125 square feet which does not comply with Section 7.7.7 of the Bylaw. However, Section 7.13.1.2 b) of the Zoning Bylaw provides the Planning Board with the authority to grant a Sign special permit for a sign with up to twice the otherwise permitted maximum display area.

### **3rd Request:** Application Waivers

The applicant has requested waiver (under Section 1.5 of your Rules & Regulations for Signs) of the requirement under Section 3.5.2 for a profile plan of the Building and its architectural features, including other existing Sign(s). This same waiver was requested and granted for the applications for William Law, D.M.D and Reichheld Ting Orthodontics

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<sup>1</sup> This is the same interpretation that the prior Zoning Enforcement Officer interpreted for Reichheld Ting Orthodontics' Secondary Awning Sign in his memo dated March 10, 2015. The Secondary Awning sign location could be allowed under the bylaw (7.7.7) “*If a business has a direct entrance into the business in a wall other than the front wall, there may be a secondary WALL SIGN, PROJECTING SIGN or AWNING SIGN affixed to such wall at such entrance; and if the business has a wall other than the front wall without a direct entrance to the business that faces upon a STREET or parking area*”. We choose to remain consistent with the prior sign approvals on this building.